G.R.S. IX—5]

Previous references. 192 . **File No.** 172-20

Ch. 14-17-1 (Ch.) **Serial Nos.** 1 to 6

Later references.

No 60-23-1
Dep no 60-25.

preserve
B/17.1.43

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six

Part B for March 1923

SUBJECT

Raising of the Scale of fees allowed to Legal Practitioners

8(4) To the Registrar, Chief Court
No. p 5835 of 18.1.23.
States that pleaders are not in favour of increasing the scale of fees as proposed.

8(5) To the Registrar, Chief Court
No. p 9663 of 17.3.23.
States that the decision on the subject may be communicated to the Law Associations.

Printed on the Multigraph.

Dr Nagendra Sharma
19/5/23.

G. R. S. III—1] 1923-21

GENERAL AND REVENUE SECRETARIAT.

(GS)

NOTES.

File No. 192-22

FILE HEADING.

Raising the scale of Advocates' and Pleaders' fees.

From

The Registrar, Chief Court.

No. ~~R 211~~ Rec'd 10 Dated 5-3-21 Received 11-3-21

Diary No. 19211	Enclos. 1	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that representations have been received from Advocates and Pleaders requesting that the fees allowed in Civil Cases may be increased by 50%.

NOTES AND ORDERS.

and requesting sanction for altering the rule of practice and raising the scale of fees by 50%

Submd for orders.

NOTES—First Sheet. 9 SS 21/3/21 Dy 31/3

(2) Mano put up this scale of fees in B. Andia

WD 1232—GPB—20,000—18-11-16

G. R. S. III-2]

1921

General and Revenue Secretariat. | File No. 192 of 1920.

Serial No.	
	Subd ① Uptodate information is not available in the Branch. A revised copy of the Civil Rules of Practice of Madras has been ordered and is hoped yet to be received. If approved the Chief Court may be requested to get the information. Submitted with adage 4/5/21 4) Jesse D.R. 6/5
2	To The Registrar, Chief Court. No. G. 22103 dy 21-5-21. Enquires whether the scale of fees allowed to Legal Practitioners has been increased in Br. India & if so requests him to forward a copy of the same.
	31 MAY 1921 Sec A 31/5
3	From The Registrar Chief Court Letter no Roc. 290 dy 16th June 1921. States that the Chief Court are not aware of any increase in the scale of fees in British India and that the scale here is different from that adopted elsewhere and invites reference to the proceedings of the President of the All India Lawyers Conference held at Allahabad on 26-3-21 published on page 52 of the Madras Law Journal for March 1921.

5) This should be seen by the Assistant Secretary

6) No. It was searched but not found D.R.

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

C/5 File No. 192 of 1921

Serial No.

7) Submitted for orders

2816/21

8) Please put up the Madras Law Journal to

D.M. 2/8

9) Submitted with the copy of the Law Journal from the Chief Court.

10) Whether the scale of fees obtaining here may be revised as proposed although the scale prevailing in British India remains unchanged is a point for consideration & orders.

Genl Secy.) 9/9/21

3rd member 9.9.21.

1998 16.9.21

11) Compare the present & the proposed rates with those prevailing in British India

Asst 21/9

12) Information regarding rates prevailing in British India may kindly be put up

Cag 23.9.21

C/5

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

Cb File No. 192 of 1920-21

Serial No.		Fees in Mysore	Fees in Madras
(13)	9) Fleers		
1.	On account of Plaintiff's Advocate or Pleader if the value of the property sued for or claim does not exceed Rs 5000/-	5%	5%
2.	If it exceeds Rs 5000/- and does not exceed 20000/-, on Rs 5000/- as above & on the remainder	2%	2%
3	If it exceeds Rs 20,000/- and does not exceed 50000/-, on Rs 20000/- as above and on the remainder	1%	1%
4.	If it exceeds 50000/- and does not exceed 80000/- on Rs 50000 as above and on the remainder ~~5%~~		½%
	In Mysore, if it exceeds 50000, on Rs 50,000/- as above and on the remainder	½%	
	In Madras, if the amount exceeds Rs 80000/- the fees are		1,000

NOTE—Contn. sheet.

General and Revenue Secretariat. | Ch File No. 192 of 1920

Serial No.

2) In cases undefended, half of the above fees is paid in both Mysore and Madras

3) The Chief Court have prescribed a maximum fee as follows
In cases in the Chief Court — Rs 3000/-
In cases in the District & Sessions Court Rs 1000/-

4) In Mysore, the scale prescribed in case of suits withdrawn or compromised before or dismissed for default, the calculation is based on the amount of the suit
In Madras the scale of fees is 1/4 of what is for regular suits disposed of on its merits

5) The minimum fees in Mysore are
In the Chief Court — Rs 10/-
In the D? or Subordinate Court — 7/-
In Munsiff's Court — 5/-
In Madras minimum fees are fixed only in appeal cases to District and Subordinate Courts as follows
1) when decided after contest — Rs 20/-
2) when decided ex parte or Compromised before final hearing — Rs 10/-

6) No fees are fixed in Madras in cases

NOTE—Contn. sheet.

Serial No.

Coming under Rule 4 on page 33 of the civil Code and has been left to the discretion of the Court

7 In Madras the fees in cases of Government are as follows - In municipal court Rs 5/-
Lil judge's court - Rs 10/-
In Mysore the fees in such cases are
In municipal court - Rs 4/-
Lil judge's court - Rs 10/-
Chief court - Rs 32/-

8 The rules in Madras and Mysore are the same as regards cases in which there are several respondents or defendants in the common interest or with separate interest

9 As regards small causes in Madras, the Court has to decide whether a fee has to be paid. When allowed a fee of Rs 5/- can be claimed by a Pleader If he is an Attorney or Vakil of the High Court the fees are Rs 15/- & 10 respectively In Mysore, Unless otherwise decreed the fees payable are

In suits not exceeding Rs 20/- in value - Rs 2/-
" 50/- - 3
" 100 - 5

NOTE—Contn. sheet.

26375

G. R. S. III-2]

General and Revenue Secretariat. Ch File No. 192 of 1919

Serial No.

14) Submitted with reference to para (2) above. The information has been compiled from the Madras Civil Rules of Practice brought up to 1st Dec. 1920 and from the Civil Digest.

15) The fees are practically the same. They have not been raised in Madras as yet

27/9/21 28/9

3rd member)

Cag 28.9.21

2065/2919

16) Please put up a tabular statement showing the present rates & proposed rates with those of Madras

4/4

30.9 M

Cag 3/10

17) Submitted with a Statement. The proposed fees is 50% above the present rates & is the above all cases. Flag L is the Statement

2547/1910

3rd member)

Cag 18.10.21

18) The raising of the fees has been effected but it will hamper in the successful party. He would have incurred heavy expenditure in defending his suit, often times he is ruined & thereby his

NOTE—Contn. sheet.

G. R. S. [III-2]

General and Revenue Secretariat.

26375 1921

File No. 152 of 1921

Serial No.

the liabilities should further increase as a question of policy that has to be determined by him first. He does not appeal the Lawyers because whatever their proficiency they will have received remuneration much in excess of the scale from their clients. The successful party may however be benefited but his benefit is not commensurate with the hardship which it entails upon the unsuccessful party.

19) may be considered in Council with the Hon'ble Approval.

26/10

DEPARTMENTS OFFICE.
Received on OCT 26 1921
Reg. No. 2387
(S.O.C No 798 28.10.21).

Secy)

20) I agree
with
28.10.21

Ch. Secy)

Secy
28/10.

21 Circulate
2/4

NOTE—Contn. sheet.

(For Disposal at a Meeting)

No. C. 215

.....1921-22.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause xxvii of the Schedule.)

Raising of the scale of fees allowed to Legal Practitioners.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

H. Matthan

5th November ...19.21. *Chief Secretary to Government.*

Extraordinary Member of Council. (22) Seen. 14.11.21.

First Member of Council. (23) 8/11

Second Member of Council. (24) Seen. 10.11.21.

2699-182. 9.11.21.

Third Member of Council. (25) Seen.

76375 12

Subject. -

Raising of the scale of fees allowed to Legal Practitioners.

.....

OPINION OF THE COUNCIL.

(26) To be remembered file matter to the increase of fee to Public Prosecutors by S/12

(27) General Secy. with Compliments. by 6/12

Jpt.

Th. W. to Thank

(28) Please file Thank 8/12

US

(29) Submitted with the file Nos 64-17-1 relating to the increase of fees payable to the Govt. Advocate and the Public Prosecutors. This is not the file meant. ~~Subject~~ File relating to the increase of fees payable to Public Prosecutors (not their pay) is wanted. If there is any, please put up. After I came, there is an agitation to raise the scale of fees payable to the Standing Counsel. Matter yet to be worked up + it also relates to fees payable to Public Prosecutors. Please find out, if there is any file, before my coming

9.12.21 10/12/21

(30) Flag V

(31) 6/1

26375

G. R. S. III-2]

General and Revenue Secretariat. | As File No. 192 of 19 30.

Serial No.

Sub'd

(31) There is no question relating to the increase of fees payable to Public Prosecutors. In connection with the appointment of the Public Prosecutor, Bangalore Dt., some lawyers who were selected for the post demanded a higher pay. On this, ~~the question of the~~ pay of the Public Prosecutors in British India and other States was ascertained. A statement prepared in that connection is herewith put up. This question was linked with the file re recruitment to Special Magistracy. It is understood that the question has been decided by including in the order — Recruitment of Special Magistrates — a para, that the claims of Public Prosecutors will receive special consideration. The file could not be traced as no file heading on the subject has been opened nor has it been found among the papers despatched

28-10-30

(32) There does not appear to be any file relating to the increase of fees of Public Prosecutors. That relating to their pay is put up. Last October however, there was a subject for raising the fee to be paid to a Standing Counsel

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

C I. File No. 192 of 1920-21

Serial No.

After discussion Govt were pleased to reply that the question will be considered. The question is not yet worked up, as the proceedings are still being printed. Question of fees to Standing Counsels & Public Prosecutors has been generally treated together. The present file, was required to be submitted along with that relating to the enhancement of fees of Public Prosecutors. The available information is that given above.

Submitted for orders

Gen Secy

Cash
26/12

Asst Secy

3 Bhandari (33) Enquiries in the Confl Branch have been made as to question of raising the pay of Public Prosecutors recently – that is after the issue of the orders of 1st Dec 1917?

27/12

34) The Confidential Branch with compliments for favour of furnishing the information

Cash
27.12

CB 2420

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

26375-20 (113) 2420

c/5 File No. 192 of 1921.

Serial No.

35) The question of raising the pay of Public Prosecutors does not appear to have been dealt with in the Confidential Branch. (Reference para 33 supra)

JUDICIAL AND REVENUE SECRETARIAT
11
5 JAN 1922
JUDICIAL BRANCH

Keep Pl. 5/1/22 Jud Brn 5/1

Jud Brn 5/1

Gen. Secy) 6/1/22

36) Jud Br Sec'y with Complete

37) All available papers have been put up.

To file regarding measures to Public Prosecutors

6/1/22

Cur 6.1.22

39) Submit with reference to Council instructions of 5.12-21

21/1/22

3761 21-1-22

Mid member Secretary

S OFFICE
FEB 11 1922
Reg. No. 4253

40) by Executive Council to consider at a meeting

141R

CS 24/1/22

41) Concluded 24/1

NOTE—Contn. sheet.

(For Disposal at a Meeting)

No. C. 5, 14

19

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause xxvii of the schedule)

Raising of the scale of fees allowed to Legal Practitioners.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

18th February 19 22.

Chief Secretary to Government.

Extraordinary Member of Council.

First Member of Council.

4439-10S. 21. 2. 22.

Second Member of Council. 22. 2. 22

4123 20/2

Third Member of Council. 20/

13 C215

1725
P.

Subject. -

Raising of the scale of fees allowed to Legal Practitioners.

.....

OPINION OF THE COUNCIL.

C.L. Tobacco Companies
Ex Mauritius
16/3

General Secy. with Compliments.
16
17/3

As. Nov
1873

Est
Jan 1874

Civil Establishments as ordered in para 43 above

26/1911
Asst
9/19

Genl Secy

Aug
1919

1715

General and Revenue Secretariat. | Ch File No. 192 of 19 22

Serial No. 45

To The Chief Secretary
with compliments
17-10-22

2381
18-10-22

Home Department
and Memory

17/10

1.61
The Representation Committee may
~~take~~ take into consideration

Sd/-
24/10

Secy) 24/10
23/10

25 1922
2426

2924
9-11-22

and Memory) 8/11

1.61 A copy is also laid before Legislative Council.
The question having been referred to Legislative Council has been disposed of in Council yesterday.

Sd/-
14/11

Secy) 11/22

NOTE—Contn. sheet.

Home Dept. letter dated 11/22 has been sent to Chief Sec. for information. No change is

G. R. S. III-2]

1725

General and Revenue Secretariat.

File No. 192 of 1920. 24

Serial No.

Can complaint now a Regn
bill the matter "immediate" of
25-10-21 why may go
without a Real

L
15-10

D/ Regd Cases Secretary
with compliments.
15/11/22

3113
16-11-22

Second Member

15/11/22

Put up resp. accordingly

21/11

A S 22/11/22

Submitted with a draft

29/11

23/11/27

Second Member

Dictated
Dictated

25/12/22

Issue
Sec
13-1-23

42 Re
2-1-23

NOTE—Contn. sheet.

3822

General and Revenue Secretariat. | 6b File No. 192 of 1920

Serial No. 4

To the Registrar, Chief Court no P. 5835 d/ 18.1.23

States that Govt are not in favour of increasing the Scale of fees payable to the Advocates & Legal Practitioners.

SECRETARIAT 19 JAN 1923 JUDICIAL BRANCH.

1945

From

Registr. Chief Court

letter no Roc 290 d/ 22.1.1923

Enquires whether the decision of Govt may be communicated to the various Law Associations in the State and whether the Govt desire that the communication of the decision should be accompanied by any statement of their reasons, as the entire legal profession is interested in the matter.

Submitted for orders. Reference is invited to the II Member's minute d/ 25/10/22 in para 18 supra

27.1.23 31/1

The Chief Court apparently want to reopen the question

There appears to be no objection to the Chief Court communicating the decision of Govt. that they do not consider it expedient to increase the Scale of fees. But no reasons need be stated in support of it

Yes 1/2

Put up a draft letter effecting the same

3.2.23

Yes 5/2

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat. | 45 File No. 192 of 1920.

Serial No.

57 Draft rules

for approval

21.2.23

5495
22.2.23

Ld Member) appd

10/3. Ld

12/3

6 To the Registrar, Calcutta
no. P. 9663 dt 17.3.23

States that the decision on the subject may be communicated to the Law Associations

918

NOTE—Contn. sheet.

Statement showing the scale of fees as existing in Mysore & Madras & as proposed in mysore for Legal Practitioners in civil suits.

Sl: no	Items -	Madras Scale	Mysore Present Scale	Mysore Proposed Scale -
A-	On account of Plaintiff's Advocate or Pleader if the amount or value of property debt or damages decreed, shall not exceed Rs 5000	5 %	5 %	7 ½ %
2.	If it exceeds Rs 5000/- and does not exceed Rs 20,000/- on Rs 5000/- as above and on the remainder -	2 %	2 %	3 %
3.	If the amount or value exceeds Rs 20000/- and does not exceed Rs 50000/- on Rs 20,000/- as above and on the remainder -	1 %	1 %	1 ½ %
4.	If the amount or value exceeds 50,000/- on Rs 50000/- as above and on the rest -	½ %	½ %	¾ %
	In madras if the amount exceeds 500007 and does not exceed 50000/- on Rs 50000/- as above and on the rest -	½ %		
	If the amount exceeds 8,0000/- in Madras a fixed maximum fee is prescribed - Hemp -	Rs 1000/		
	In Mysore the maximum fee prescribed in the case of the Chief Court - and		Rs 3000	Rs 3000/
	in the case of the District judge's court -		Rs 1000/-	Rs 1000/-
B-	In cases undefended the fees are	Half of the fees prescribed in A in Madras and mysore.		
C.	The minimum fees in the Chief Court -		Rs 10/-	Rs 10/-
	in the Dt. or Sub judge's Court		Rs 7/-	Rs 7/-
	in a munsiff's court -		Rs 5/-	Rs 5/-
	In madras minimum fees are fixed only in appeal cases to Dt. and Sub judge's courts - (1) when decided after contest -	Rs 20/-		
	(2) when decided ex parte or compromised	Rs 10/-		

Items	Madras Scale	Mysore Present Scale	Mysore Proposed Scale
The Courts in Mysore have a discretion in cases where the labours of an Advocate or Pleader would be inadequately remunerated on the scale of fees calculated as in A, B & C, to sanction any sum not exceeding - in a suit in the			
Chief Court —		Rs 200/-	Rs 200/-
Do — Dt or Subordinate Court —		Rs 75/-	Rs 75/-
Do — Munsiff's Court —		Rs 35/-	Rs 35/-
No such discretion is given to the Judges in the Madras Courts -	Nil - -		
C - In cases of suits withdrawn or compromised before or dismissed the fees prescribed are —	¼ of A	As prescribed in A	
F - In cases where a hearing of a suit is adjourned.			
On a suit in Chief Court any sum not exceeding		32/-	50/-
Subordinate Court -	10/-	10/-	15
Munsiff's Court -	5/-	4/-	7
G - If fees are allowed in cases of small causes for an Attorney	15/-		
for a Vakil appearing	Rs 10/-		
If the value of the suit does not exceed Rs 20/-		2	3
If the value exceeds 20/- & not Rs 50/-		3	4½
" Do — 100/-		5	7½
Do - : 300 —	- - -	- - -	at 7½ %.

Sl	Items	Madras scale	Mysore Present scale	Mysore Proposed scale
14.	In Execution cases a fee of 1/4 of that prescribed for decrees by Rules A In madras the fee for execution of a decree below Rs 100/- is Above Rs 100/- —	Re 1. Rs 2.	Same as in No Change in this rule.	
9.	Fees to advocates in cases where there are several respondents or defendants with common interest or with separate interest-	the same rules apply in Madras & Mysore.		

System of Recruitment of Law Officers.

No.	Province.	Designation.	Pay & Rank.	How recruited.	Remarks.
1.	Travancore	Prosecuting Inspectors.	Rs.125/-, Rs.150/-, Rs.175/- and Rs.200/-. Same grade as Circle Inspectors of Police.	Appointment made by Government and they are recruited from the rank of Police Inspectors.	Conduct Criminal cases in Magistrate's Courts.
		Sirkar Vakils	Rs.150/- to Rs.250/-	Vakils of the District Court or High Court are eligible.	Conduct Criminal Cases in the Sessions Court & Civil cases before District Courts where Government is a party.
		Head Sirkar Vakil	Rs.500/- He is the departmental head of Sirkar Vakils. He has 3 Assistants on Rs.250/-.	Vakils of the High Court only are eligible.	Conduct Civil & Criminal cases in the High Court on behalf of Government.
2.	Cochin.	Sirkar Vakils	Rs.150/- and Rs.100/-		They are also Public Prosecutors.
3.	Baroda.	Public Prosecutor in Magistrates' Courts.	Retainer fee of Rs.20/- a month and daily fee of Rs.2/-.	Appointment made by the Legal Remembrancer from among the Pleaders of the Courts and they are tenable for 2 years eligible for renewal.	
		Government Pleader in Baroda City - Chief Magistrates' Court.	Salary of Rs.150/- a month		
		Public Prosecutors Sessions Courts.	Retainer fee of Rs.150 and a daily fee of Rs.5/-		

Baroda	Assistant Public Prosecutors.	Retainer fee of Rs.25/- and a daily fee of Rs.5/-.	Appointment made by the Legal Remembrancer from among the Pleaders of the Courts and they are tenable for two years eligible for renewal.	
	Government Pleaders in Varishth Court.	Salary of Rs.250/-40/2 -500 and is allowed a daily fee of Rs.30/- in cases before the Huzur Nyaya Sabha.		
4. Bengal	Government Pleaders who are ex-officio Public Prosecutors.	Retainer fee of Rs.50/- and daily fee of Rs.25 to 32. If case occupies half or less than half a day or if it is adjourned he is entitled to a fee of Rs.16/-. In special cases special fee of Rs.32 to Rs.50 may be sanctioned. When deputed to the mofussil he is paid Rs.50 per diem in addition to his T.A.	A qualified Pleader is nominated by the Collector in consultation with the Sessions Judge and the papers are submitted through the Commissioner to the Legal Remembrancer who forwards it to Government with his recommendation. Temporary vacancy can be filled by the Collector.	
5. United Provinces of Agra & Oudh	Legal Remembrancer	He is graded with District & Sessions Judges.	He is appointed by Government.	He is ex-officio Public Prosecutor for the U.P. in all cases except those before the High Court at Allahabad or the Judicial Commissioner at Oudh.
	Government Advocate	Rs.1500/-	Appointed by Local Government from amongst the Barristers	Attached to the High Court.
	Assistant Government Advocate	Rs.750/-	-do-	-do-

United Provinces.	Government Pleader High Court.	Rs.300/-	Appointed by the Legal Remembrancer from among the Vakils of the High Court subject to confirmation by Local Government.	Attached to the High Court.
	Government Pleader for Oudh.	Rs.300 - 20 - 400	-do-	Attached to the Judicial Commissioner, Oudh.
	District Government Pleaders.	Daily fee of Rs.20 to 25 for work done over three hours and for work not exceeding that period a fee of Rs.10 to 12-8-0.	Appointed by the Legal Remembrancer out of the names of three practising Pleaders nominated by the District Magistrates.	Attached to the District & Sessions Courts.
6. Bombay	Advocate General.	Rs.2000 per mensem and office allowance of Rs.200/- p.m.		
	Solicitor General	Rs.2000 plus 500/-.		
	Legal Remembrancer	Rs.2500/- gradedasa First Grade Judge.		
	Assistant Legal Remembrancer	Rs.1200 -50 - 1500.		
	Government Pleaders in the High Court.	Rs.300/- plus fees.	Appointment made by the Legal Department of Bombay for a term of three years in consultation with District Magistrates and District & Sessions Judges. Generally a leader of the Bar is appointed.	
	Government Pleaders in the Mofussil	Retaining fee of Rs.20 to 125 plus fees.		
	Public Prosecutors	Rs.10 per day of actual work in Sessions or Magistrates' Courts.		

1921

1920 - 1921.

Ro-C 290

1921-20

CHIEF COURT OF MYSORE

BANGALORE, Dated 5th March

GEN & REV. SECT.

10 MAR 1921

From

G. SREENIVASA IYER, Esquire, B.A., M.L.,
Registrar of the Chief Court of Mysore

To

K. NATHAN, Esquire, B.A.,
Chief Secretary to the Government of Mysore,
Bangalore.

Sir,

I am directed to state that the members of the several Law Associations in the State have represented that the fees now allowed to Advocates and Pleaders in civil cases are inadequate under the present economic conditions, that there has been of late a general rise in the emoluments of all other professions and that therefore the present scale of fees may be increased by at least 50%.

The present rules regulating the fees payable to Advocates and Pleaders were framed so far back as 2nd August 1897 (vide Rule of Practice 91) and it is reported that legal practitioners are as a matter of fact demanding fees much more than 50% over the present scale.

I am to state that the Judges are of opinion that the representation is quite reasonable and it is accord-

accordingly proposed to revise the scale raising it by 50% and issue the enclosed Rule of Practice.

I am to request that the Government may be pleased to accord their sanction for the issue of the same.

I have the honour to be,

Sir,

Your most obedient servant,

REGISTRAR.

W.G.

IN THE CHIEF COURT OF MYSORE AT BANGALORE

C i v i l S i d e.

Rule of Practice No. dated

The following rules for regulating the fees payable in respect of an adversary's Advocate or Pleader in the Chief Court of Mysore and in the Civil Courts subordinate thereto, framed under Section 22 of the Mysore Legal Practitioners' Regulation III of 1884, are issued with the sanction of Government in supersession of the rules contained in Civil Rules of Practice Nos. 20, 23 and 31, dated 23rd July 1879, 19th September 1879, and 2nd August 1897 respectively.

1. The sums to be entered in the Decrees of the Court under the denomination of costs, as payable on account of fees of Advocates and Pleaders, shall, unless the Court declare otherwise in its judgment, be calculated at the following rates :-

(1) On account of plaintiff's Advocate or Pleader, if the amount or value of the property, debt or damages decreed, shall not exceed Rs. 5,000/-, at 7½ per cent on the amount or value decreed.

(2) If the amount or value shall exceed Rs. 5,000/- and not exceed Rs. 20,000/-, on Rs. 5,000/- at 7½ per cent, and on the remainder at 3 per cent.

(3) If the amount or value shall exceed Rs. 20,000/- and not exceed Rs. 50,000/-, on Rs. 20,000/- as above, and on the remainder at 1½ per cent.

(4) If the amount or value shall exceed Rs. 50,000/-, on Rs. 50,000/- as above, and on the remainder at ½ per cent.

Provided that --

(a) In no case shall the amount of any fee in a suit in the Chief Court exceed Rs. 3,000/-, or in a suit in the District Judge's Court exceed Rs. 1,000/-.

(b) In cases undefended, one-half only of the fee calculated at the above rates shall be allowed.

(c) The minimum fee in any suit shall be as given below :-

	Rs.
In the Chief Court ...	10
In a District or Subordinate Judge's Court ...	7
In a Munsiff's Court ...	5

On account of defendant's Advocate or Pleader, the same rates as those specified above shall be allowed; but the calculation shall be, where the suit is dismissed, on the amount at which the suit is valued in the plaint; or where the suit is partly decreed, on the difference between the amount decreed and the amount of valuation.

The valuation of suits shall be determined according to the rules laid down in the Court Fees Regulation.

If in the opinion of the Court the questions in issue in any case are such that the labor or skill of the Advocate or Pleader would be inadequately remunerated by a fee calculated on the above scale, and also in suits where it

is

is not possible to estimate at a money value the subject matter in dispute, and in Miscellaneous and Insolvency Proceedings, the Court may, for reasons to be recorded in its Judgment, award -

in a suit in the Chief Court, any sum not exceeding	...	Rs. 200
-do- in the District or Sub-Judge's court	... ...	75
-do- in the Munsiff's Court	... ...	35

5. Unless the court declare otherwise in its Judgment, the amount to be allowed on account of Advocate's and Pleader's fees in Courts of Small Causes, or in cases of a nature cognizable by a Court of Small Causes shall be, --

in suits not exceeding Rs.	20/-	in value	...	Rs. 3
-do-	50/-	,,	...	4½
-do-	100/-	,,	...	7½
-do-	300/-	,,	... @ Rs.	7½ per cent

6. When the hearing of a suit is adjourned, the court may include among the costs occasioned by such adjournment, Advocate's or Pleader's fees at the following scale :-

Any sum not exceeding (except for special reasons which shall be recorded)

in a suit in the Chief Court	...	Rs. 50
-do- District or Sub-Judge's Court	...	15
-do- Munsiff's Court	...	7

7. In a case where there are several defendants, not more than one Advocate's or Pleader's fee shall be allowed, except in respect of a separate defence set up by a defendant who has a separate interest.

8. The amount to be allowed on account of Advocate's and Pleader's fees in appeals, shall be calculated on the same scale as in original suits, and the principles of the above rules as to original suits shall be applied as nearly as may be to appeals.

9. A fee equal to one-fourth of that prescribed for decrees by Rules 1 and 8 shall be allowed to an Advocate or Pleader in execution cases. This rate shall not be exceeded whatever may be the number of applications for execution, unless additional applications are necessitated by the conduct of the Judgment-debtor.

REGISTRAR.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1921

General and Revenue Secretariat

( )

the 191 .

Date of issue 21/5

Signed by M- pm.

Section Ct

File No. 192-20

Serial No. 2

No. 22103

To

The Registrar Chief Court.

Sir

With reference to your letter no Roc 290/20-21 dt 5-3-1921 re. increase in the scale of fees now allowed to Advocates and Pleaders in civil cases I am directed to enquire whether allowed to legal practitioners, the scale of fees ~~in this case~~ has been increased in British India and if so to request you to kindly forward a Copy of the same

I have the

Dt 19/5/21 honour.

For the Secy.

1006/1105

Roc. 27/20

4578

GEN & REV. SECTT.

21 JUN 1921

B a n g a l o r e,

Dated 18th June 1921.

DIARY No. 26375

From

G. Sreenivasa Iyer, Esqr., B.A., M.L.,

Registrar, Chief Court of Mysore,

B a n g a l o r e.

cls. 192-20 3

To

B. Ramaswamaiya, Esqr., B.A., B.L.,

Secretary to the Government of Mysore,

Revenue Department,

B a n g a l o r e.

PROTECTION SECTION 21 JUN 1921

S i r,

Adverting to your letter No. G.22103/Cts.192-20-2 dated 21st May 1921 enquiring whether the scale of fees allowed to legal practitioners has been increased in British India, I am directed to state that the Chief Court are not aware of any increase in the scale of fees in question and that the scales there are different from the scale in force here, and I am however to invite reference to the speech of the President of the All-India Lawyers' Conference held at Allahabad on 26-3-1921 Page 52 Madras Law Journal for March 1921 No.5 at page 68) from which it will also be seen that, if he is correct, there has been no increase in the scale of fees fixed in British India.

I have the honour to be,

S i r,

Your most obedient servant,

REGISTRAR.

AV.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1725

General and Revenue Secretariat
( )
, the *191* .

Date of issue 18/6/23

Signed by M. Jag

Section 65
File No. 192-22
Serial No. 4

No. 5835

To Mudaliyar Secretariat

Sir

With reference to the correspondence ending with your letter No Roc 2903 18.6.1922 in the matter of increasing the scale of fees by 50% payable to the Advocates and Legal Practitioners I am directed to state that Govt are not in favour of increasing the scale of fees as proposed.

I have the honor to be Sir Your obedient servant

26/12/22 for Secretary

27.12.22

35

Lets 192-20-6

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

To

The Registrar

Chief Court

9663
9173
23

Sir.

With reference to your letter No R.O.C 290 dated 22-1-23 enquiring whether Govt have any objection to their decision regarding the increase in the scale of fees payable to advocates being communicated to the various Law Associations in the State, I am directed to state that they have no objection to the proposal but consider that it need not be accompanied by any statement of reasons.

I have etc

Lt

Ex Leg

JPS